

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MEADOW *et al.*

Appl. No.: 09/901,124

Filed: July 10, 2001

For: **Check Authorization System and Method**

Confirmation No.: 7209

Art Unit: 3692

Examiner: Nguyen, Nga B.

Atty. Docket: 2222.4960001

Reply to Restriction Requirement

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Election

In response to the Restriction Requirement of January 25, 2008, listing Groups I and II, Applicants hereby provisionally elect to prosecute claims directed to Group I, represented by claims 1-14. This election is made without prejudice to, or disclaimer of, the other claims or subject matter disclosed. This election is made with **traverse**.

Associations of Claims is Incorrect

The Examiner contends that claims 1-47 are directed to two distinct Groups, as follows:

Group I, claims 1-14, drawn to a method and system for verifying a check, classified in class 705, subclass 44. *Office Action, at p. 2.*

Group II, claims 15-47, drawn to a method and apparatus for constructing a check, classified in class 705, subclass 45. *Office Action, at p. 2.*

Applicants respectfully submit that the associations of certain claims to the descriptions of the allegedly distinct Groups, Group I and Group II, are incorrect.

The Examiner contends that claims 1-14 are “drawn to a method and system for verifying a check,” and that claims 15-47 are “drawn to a method and apparatus for constructing a check”. *Office Action, at p. 2.*

Applicants respectfully submit that, in addition to claims 1-14, at least claims 36-45 and claim 47 recite "a method and system for verifying a check." For example, independent claim 36 is a method claim that recites the following feature: "comparing ... to determine an **authenticity of the monetary instrument**" (*emphasis added*). Claims 37-45, which are dependent upon independent claim 36, also implicitly recite this same feature. Similar to claim 36, independent claim 47 also recites the same feature of "comparing ... to determine an **authenticity of the monetary instrument**" (*emphasis added*).

These claims therefore recite subject matter relating to "verifying a check." Therefore, not only do claims 1-14 relate to verification of a check, as indicated by the Examiner, but claims 36-45 and claim 47 also relate to this.

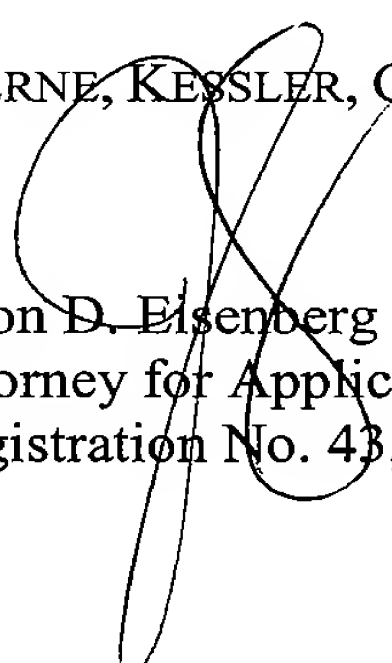
Adopting a similar analysis to the remaining claims, Applicants respectfully note that Examiner's alleged association of claims 15-47 to the subject matter of "constructing a check" is equally flawed. In fact, it is the claim set of 15-35 and claim 46 that relate to subject matter concerning the monetary instrument itself.

Accordingly, Applicants respectfully request that the restriction be withdrawn since its foundation is based on flawed assumptions concerning the subject matter recited in each of the claims 15-47.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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